IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.640 of 2007

Between:

N.Chinnabba

..... PETITIONER

and

The State of Andhra Pradesh,
Rep. by its Commissioner, Transport dept.,
Hyderabad & others.

.....RESPONDENTS

The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.640 of 2007

Order: *(per the Hon'ble Sri Justice Bilal Nazki)*

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

Admittedly, a tractor has been purchased by the petitioner in the year 1994. According to the petitioner, the trailer has been purchased in the year 2004 but tax and penalty have been levied from the year 1994. As far as the

tax is concerned, this Court shall not be able to go into the correctness or otherwise of the findings of the authorities below. But, the learned Counsel for the petitioner submits that a penalty of Rs.72,400/- has been imposed although the price of the tractor is not more than Rs.20,000/-. The order relating to penalty is an appealable order. Therefore, we dispose of this Writ Petition permitting the petitioner to file an appeal before the authorities concerned within a period of four weeks from today. If an appeal is filed within the time stipulated, it shall be entertained by the authorities concerned and orders be passed in accordance with law. The interim order passed by this Court on 18-01-2007 shall remain operative till the appeal is disposed of. No costs.

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(Bilal Nazki, J)

2nd July, 2007

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(Nooty Ramamohana Rao, J)

Note:
Furnish CC in one week.
B/o
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